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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,638	08/28/2003	Fabio Giannetti	300203301-2	7474

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

WEINTROP, ADAM S

ART UNIT	PAPER NUMBER
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2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/650,638

Applicant(s)

GIANNETTI ET AL.

Examiner

Adam S. Weintrop

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 18-27 is/are rejected.
- 7) ☒ Claim(s) 7-17 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/28/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in the United Kingdom on 9/5/2002. It is noted, however, that applicant has not filed a certified copy of the 0220711.6 application as required by 35 U.S.C. 119(b).

Specification

2. The use of the trademarks FRONT PAGE and DREAMWEAVER have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

3. The abstract of the disclosure is objected to because of the reference "(Figure 7)" on line 13. Removal of this reference is required.
Correction is required. See MPEP § 608.01(b).

Claim Objections

4. **Claims 2-22, and 24** are objected to because of the following informalities:

Regarding **claim 2**, the phrase “the step of labeling the content” in line 13 does not have proper antecedent basis and should be – the step of labeling the choices of content --.

Regarding **claim 3**, the phrase “the allowable choices” in line 17 lacks antecedent basis. The phrases “the properties” and “the web document” on line 19 do not have proper antecedent basis having never been defined previously in the claims.

Regarding **claim 4**, the phrase “the approved choices” on line 23 lacks antecedent basis and should be replaced with – the approved combinations --.

Regarding **claim 5**, the phrase “the properties” on line 26 lacks antecedent basis having not been defined before in the claims. The phrase “the web document” beginning on line 26 also does not have proper antecedent basis. The term “sub-class” on line 27 has not been defined previously in the claims. The terms “the device” on line 28 and “the properties” beginning on line 28 also lack antecedent basis having not been defined before in the claim.

Regarding **claim 6**, the terms “the properties” on line 1 and “the device” on line 2 have not been defined before in the claim and lack proper antecedent basis.

Regarding **claim 7**, the phrase “the step of grouping” in line 4 does not correspond to a previously defined method step. On line 7, the term “it” is vague as to what the term is referring to.

Regarding **claim 8**, the term “a class” in line 12 should be – the class – to establish proper antecedent basis.

Regarding **claim 9**, the term “a combination” in line 15 has already been defined and should be – the combination --. The term “a class” in line 16 has already been defined and should be – the class --.

Regarding **claim 10**, the phrase “a class of devices” on line 18 has already been defined and should be – the class of devices --.

Regarding **claim 11**, the phrase “the web document” on line 21 has not been defined before and lacks antecedent basis.

Regarding **claim 12**, the phrase “the choice of content” on line 25 should be replaced with – the choices of content – to establish proper antecedent basis.

Regarding **claim 13**, “in which the step of providing content” on line 28 is a method step that has not been defined and should be replaced with – that includes a further step of providing content --.

Regarding **claim 14**, the term “a requesting device” on line 4 has already been defined in some of the claims previously and should be replaced with – the requesting device – to establish proper antecedent basis with those claims.

Regarding **claim 15**, the term “the largest size content” on line 7 has not been defined previously and lacks antecedent basis. It should be replaced with – a largest size content --. The terms “a given property” and “a requesting device” on lines 7 and 8 have already been defined before in the claim do not need to be redefined.

Regarding **claim 16**, the term “the labels” on line 10 have not been defined yet and should be replaced with –labels --.

Regarding **claim 17**, the terms “a device” and “a request” on line 14 have already been defined and do not need to be redefined. They should be replaced with – the device – and – the request --, respectively. On line 14, the term “a web document” has been repeated twice. The second repetition needs to be removed.

Regarding **claim 18**, the term “the author” on line 25 has not been defined yet and should be replaced with – an author --.

Regarding **claim 19**, the term “an author” on line 30 has already been defined and should be replaced with – the author –. The phrase “the identity and location” in line 30 has not been defined yet in the claim and needs to be replaced with – an identity and location --.

Regarding **claim 20**, the term “an author” on line 2 has already been defined and should be replaced with – the author --.

Regarding **claim 21**, the phrase “the allowable choices” on line 8 lacks antecedent basis and should be replaced with – the allowable combination of choices --. The terms “the properties” and “the web document” have not been defined previously in the claims and lack antecedent basis.

Regarding **claim 22**, the phrase “the properties of devices” in line 14 has not been defined previously in the claims.

Regarding **claim 24**, the independent claim number “22” should be replaced with – 23 – to properly depend from the independent claim. The phrase “the properties of a class of devices” and “the web document” on lines 29-30 have not been defined previously in the claims and lack antecedent basis.

Appropriate correction is required.

5. **Claims 7-17 and 21** are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

7. **Claims 25-27** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. These claims are omnibus type claims.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. **Claims 1-24** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

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Regarding **claim 1**, the method steps of “defining content” and “labeling choices of content” are abstract ideas and do not produce useful, concrete, or tangible results as required for the claim to be statutory. Dependent **claims 2-17** do not add any tangible result to the claim and are rejected for the same.

Regarding **claim 18**, the “content defining tool” and “labeling tool” do not produce useful, concrete, or tangible results for it to be compliant with 35 U.S.C. 101 as they are abstract parts of the system. Dependent **claims 19-22** do not add any tangible result and are rejected for the same.

Regarding **claim 23**, the data structure claimed has a “content defining section” that “defines” which is an abstract function and is non-statutory. The “label section” only includes labels, which do not produce a real-world result and therefore do not produce useful, concrete, or tangible results as required for this claim to be statutory. Dependent **claim 24** does not add any tangibility and is therefore rejected for the same.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. **Claims 1-5, 18-19, and 23-24** are rejected under 35 U.S.C. 102(b) as being anticipated by Danneels (US 6,038,598).

Regarding **claim 1**, Danneels discloses a method of authoring a document to be served for rendering on a plurality of classes of devices (column 2, lines 36-39) comprising: defining at least two choices of content which may be styled for a first content portion of the document (column 2, lines 58-65, with the choices being the web pages in the "web page set 1"), defining at least two choices of content which may be styled for a second content portion of the document (column 2, lines 66-67 and column 3, lines 1-2, where the choices are the web documents in the second "web page set 2"), and labeling the choices of content to indicate approved combinations of content for the first content portion with the content for the second content portion (column 2, lines 58-67 and column 3, lines 1-2 with the labeling consisting of creating the page names and directories to place the content choices in).

Regarding **claim 2**, Danneels discloses the method of claim 1 in which the step of labeling the content to indicate approved combinations is performed manually by an author in column 2, lines 53-55.

Regarding **claim 3**, Danneels discloses the method which includes an additional step of arranging the allowable choices into class sub-sets (column 2, lines 58-67 and column 3, lines 1-2, with the class sub-sets being referred to as "d1" or "d2"), each class sub-set including only those labeled choices which match the properties of a class of device on which the web document is to be rendered (column 3, lines 19-20, with the conditions determining which web page set the server will render).

Regarding **claim 4**, Danneels discloses the method of claim 3 which comprises defining more than one class sub-set of the approved choices in column 2, lines 58-67

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and column 3, lines 1-2, where the approved choices are the web pages themselves and the class sub-sets are the web page sets "d1" and "d2". This is equivalent to having more than one class sub-set.

Regarding **claim 5**, Danneels discloses the method which includes a further step comprising receiving the properties of a device requesting the web document (column 5, lines 23-27, where a property is the language selection) and selecting from the sub-class of combinations which includes the device requesting the document a set of content which matches the properties of the requesting device (column 5, lines 29-34).

Regarding **claim 18**, Danneels discloses a system for authoring a document to be served for rendering on a plurality of classes of devices (column 2, lines 36-39) comprising: a content defining tool (column 4, lines 39-42) for defining at least two choices of content which may be styled for a first content portion of the document (column 2, lines 58-65, with the choices being the web pages in the "web page set 1"), defining at least two choices of content which may be styled for a second content portion of the document (column 2, lines 66-67 and column 3, lines 1-2, where the choices are the web documents in the second "web page set 2"), and labeling tool which permits the author to label the choices of content to indicate approved combinations of content for the first content portion with the content to indicate allowable combinations of content for the first content portion with content for the second content portion (column 2, lines 58-67 and column 3, lines 1-2 with the page names and directories labeled as disclosed as "d1" or "d2", an author inherently must

have used a labeling tool to create the page names and directories to place the content choices in).

Regarding **claim 19**, Danneels discloses the system of claim 18 in which the content defining tool comprises an editor which permits an author to define the identity and location of existing documents and/or to author new content (column 2, lines 53-55, with the content author creating web page sets, and column 2, lines 59-67, where the web page sets are labeled with identity from the file name, and location from the directory name).

Regarding **claim 23**, Danneels discloses a data structure that is suitable for processing to produce a rendered document (column 1, lines 66-67, and column 2, lines 1-7), the program comprising: a content defining section defining at least two choices of content, which may be styled, for a first content portion of the document (column 2, lines 58-65, with the choices being the web pages in the "web page set 1") and at least two choices of content, which may be styled, for a second content portion of the document (column 2, lines 66-67 and column 3, lines 1-2, where the choices are the web documents in the second "web page set 2"); a label section which includes labels corresponding to choices of content, each label indicating an allowable combination of content for the first content portion with content for the second content portion (column 2, lines 58-67 and column 3, lines 1-2 with the labeling consisting of creating the page names and directories to place the content choices in, therefore making it "allowable").

Regarding **claim 24**, Danneels discloses the data structure of claim 23 in which a sub-class selection section which includes at least one defined class sub-set (column 2,

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lines 60-67, where each sub-set is identified by "d1" or "d2"), each class sub-set including only those labeled choices which match the properties of a class of devices on which the web document is to be rendered (column 3, lines 19-20, with the conditions determining which web page set the server will render).

12. **Claims 1-6, 18-19, and 23-24** are rejected under 35 U.S.C. 102(e) as being anticipated by Brid et al. (US 6,772,144 B2).

Regarding **claim 1**, Brid et al. discloses a method of authoring a document to be served for rendering on a plurality of classes of devices (column 2, lines 48-50) comprising: defining at least two choices of content which may be styled for a first content portion of the document (column 5, lines 30-35, with the choices being information relating to a stock), defining at least two choices of content which may be styled for a second content portion of the document (column 5, lines 45-50 with more stock information choices), and labeling the choices of content to indicate approved combinations of content for the first content portion with the content for the second content portion (column 5, lines 54-60, with the defining of data elements to be displayed and the arranging of data elements on a layout corresponding to applicant's "labeling to indicate approved combinations" as defining is equivalent to labeling)

Regarding **claim 2**, Brid et al. discloses the method of claim 1 in which the step of labeling the content to indicate approved combinations is performed manually by an author in column 2, lines 55-59, where the author produces the labeling of a layout which is equivalent to approving combinations of content.

Regarding **claim 3**, Brid et al. discloses the method which includes an additional step of arranging the allowable choices into class sub-sets, each class sub-set including only those labeled choices which match the properties of a class of device on which the web document is to be rendered (column 4, lines 46-49, where the device-specific template includes content layout information and device information, thus being equivalent to a sub-set which includes labeled approved content choices that match the properties of devices).

Regarding **claim 4**, Brid et al. discloses the method of claim 3 which comprises defining more than one class sub-set of the approved choices in column 5, lines 61-67, where two different devices are shown to support different class sub-sets of approved content.

Regarding **claim 5**, Brid et al. discloses the method which includes a further step comprising receiving the properties of a device requesting the web document (column 5, lines 19-20), where the device description includes properties as seen in Table 1 in column 3) and selecting from the sub-class of combinations which includes the device requesting the document a set of content which matches the properties of the requesting device (column 5, lines 20-26, where the layout is chosen based on the device description).

Regarding **claim 6**, Brid et al. discloses the method of claim 5 in which the properties comprise physical properties of the device (Table 1 in column 3 show the properties to include device type and physical features of the device).

Regarding **claim 18**, Brid et al. discloses a system for authoring a document to be served for rendering on a plurality of classes of devices (column 2, lines 48-50) comprising: a content defining tool (column 2, lines 50-53) for defining at least two choices of content which may be styled for a first content portion of the document (column 5, lines 32-35 with the stock information choices), defining at least two choices of content which may be styled for a second content portion of the document (column 5, lines 45-50, with additional content from stock information), and a labeling tool which permits the author to label the choices of content to indicate approved combinations of content for the first content portion with the content to indicate allowable combinations of content for the first content portion with content for the second content portion (column 3, lines 21-33, with the device independent templates are created to indicate allowable data binding or layout options for the content).

Regarding **claim 19**, Brid et al. discloses the system of claim 18 in which the content defining tool comprises an editor which permits an author to define the identity and location of existing documents and/or to author new content (column 2, lines 50-59, and column 3, lines 23-33, where the author can create a layout which has data-binding information that inherently would include identity of the items and location of the items, and this layout would be filled with web content that inherently either exist or will be created)

Regarding **claim 23**, Brid et al. discloses a data structure that is suitable for processing to produce a rendered document (column 2, lines 48-50) comprising: a content defining section (column 2, lines 50-53) defining at least two choices of content

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which may be styled for a first content portion of the document (column 5, lines 32-35 with the stock information choices), and at least two choices of content which may be styled for a second content portion of the document (column 5, lines 45-50, with additional content from stock information), and a label section which includes labels corresponding to choices of content indicating an allowable combinations of content for the first content portion with the content to indicate allowable combinations of content for the first content portion with content for the second content portion (column 3, lines 21-33, with the device independent templates are created to indicate allowable data binding or layout options for the content).

Regarding **claim 24**, Brid et al. discloses the data structure of claim 23 in which a sub-class selection section which includes at least one defined class sub-set, each class sub-set including only those labeled choices which match the properties of a class of devices on which the web document is to be rendered (column 4, lines 46-49, where the device-specific template includes content layout information and device information, thus being equivalent to a sub-set which includes labeled approved content choices that match the properties of devices).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. **Claims 20, 22, and 25-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brid et al. (US 6,772,144 B2) in view of Lachhwani et al. (US 2002/0116418 A1).

Regarding **claims 20 and 22**, Brid et al. discloses all of the limitations except for having the labeling tool adapted to render automatically selected choices for an author or other user and request the author or user to indicate if the combination is approved. Brid et al. discloses the device property agent which is adapted to retrieve the properties of the device which form a class of devices on which the web document is to be rendered (column 4, lines 1-3, with the device description being device properties as seen in column 3, Table 1) as required by claim 22. The general concept of providing a combination or content choices, or layout, to a user is well known in the art as illustrated by Lachhwani et al. Lachhwani et al. discloses a layout designer that take layouts and combines them with content from users (page 3, section 0030, line 1-4). These layouts are presented to the user for approval as shown in Figure 3b in step 360 and corresponding text in page 5, section 0044. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Brid et al. to incorporate approval of the layouts as taught by Lachhwani et al. in order to allow more control over the system to improve the quality.

Regarding **claims 25-27**, Brid et al. and Lachhwani et al. disclose all of the limitations as described above for the method, system, and data structure for rendering a document substantially as described herein.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kanevsky (US 6,300,947 B1) discloses a web page adaptation system that provides different viewing options for non-standard computer screens based on information received from the user.

Chen et al. (US 2002/0073235 A1) discloses a system that provided Internet browsing on a limited-display device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam S. Weintrop whose telephone number is 571-270-1604. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm.

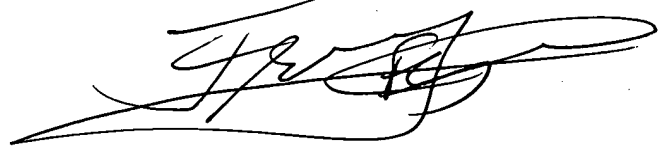
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Jules can be reached on 571-272-6681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AW

1/18/07

FRANTZ JULES
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Frantz Jules', is written over the printed name and title.

